



MARK PESTRELLA, Director

## COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE  
REFER TO FILE

March 07, 2023

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

### **ENVIRONMENTAL SERVICES CORE SERVICE AREA RETROACTIVE PAYMENTS FOR HAUL TRUCK SERVICES (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

#### **SUBJECT**

Public Works is seeking authorization to make retroactive payments to seven contracted vendors for haul truck services initiated during the contract term but completed after the contract termination date.

#### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed action is not a project, or in the alternative exempt, under the California Environmental Quality Act for the reasons stated in this Board letter and the record of the project.
2. Approve retroactive payments for 81 invoices from 7 contractors totaling \$1,496,609.09.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended action will authorize Public Works to make retroactive payments to seven on-call haul truck service providers in varying amounts listed in the enclosed spreadsheet for work performed at various work sites in the County.

Public Works utilizes haul truck service contractors to support ongoing road and stormwater maintenance operations. These services include the use of medium to large haul trucks at numerous road clearing and stormwater maintenance sites throughout the County. All seven of Public Works' haul truck contractors provided these services following the recent rainstorms.

Specifically, the contractors assisted Public Works by performing work of a critical nature and urgent necessity to protect public health and safety by providing services to remove mud and debris from Pine Canyon Road and Lake Hughes Road. These two roads were impacted by the Lake Fire event, which remains subject to a continuing local emergency declaration by the Board. On September 11, 2022, the community experienced a 100-year storm causing over 200,000 cubic yards of debris from the mountainside burying the roadway and trapping motorists. Since the initial incident on September 11, 2022, the community experienced additional storms, again, causing more debris to fill drains and block roadways. Public Works' crews, with assistance from the seven haul truck contractors, worked to clear drains and restore washed out slopes and shoulders. In addition to the critical and urgent road maintenance work, the contractors were also utilized to perform time-sensitive, softbottom channel clearing of 40 areas, including Bouquet Canyon Channel, Pico Canyon Channel, Santa Clara River, and Santa Clara River South Fork. This work is critical to ensure the restoration of full capacity to our unimproved stormwater channel system, ensuring the safety of the communities living around these channels.

At the time the work was ordered, Public Works was in the process of seeking Board approval to award ten new services contracts for the On-call Haul Truck Services Program to continue these services uninterrupted. Unanticipated delays within Public Works resulted in the contract renewal being filed later than initially intended. The previous contracts expired on October 27, 2022, and Public Works did not request any services thereafter. However, several road clearing and stormwater maintenance projects were ongoing as these services were requested based on the project schedule, which extended beyond the expiration of the original contracts. Although approved by the Board on November 1, 2022, the ten new contracts were not fully executed by all parties until the third and fourth weeks of November 2022.

Public Works recognizes this presents a retroactive contract issue and is currently working to address the issue with appropriate corrective action plans in place and presentation to the Retroactive Contract Review Committee (RCRC) consistent with County Policy No. 5.015 (Timely Submission of Contracts for Board Approval) in order to obtain RCRC's approval and to prevent this from happening in the future. The presentation to the RCRC is anticipated to occur in March 2023.

### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability by providing payment for services rendered by seven contractors.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund. There are 81 invoices from 7 contractors totaling \$1,496,609.09. Funding for these services is included in the Internal Service Fund (B04–Services and Supplies) and Road Fund (B03–Services and Supplies) Fiscal Year 2022-23 Budgets. The Internal Service Fund will be reimbursed by the Flood Control District Fund (B07).

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The subject haul truck services contracts expired on October 27, 2022, and Public Works did not request any new services thereafter. Seven contractors were assigned work based on the project schedule, which extended beyond the contract expiration date. Ten new contracts for haul truck services were approved by the Board on November 1, 2022, and executed by all parties in the third

and fourth weeks of November 2022.

Under the County's retroactive contracting procedures referenced in Policy 5.015, if a retroactive issue is deemed urgent by the department, the department may seek Board approval of the retroactive payment prior to meeting with the RCRC, with the understanding that the department will make the presentation to the RCRC subsequent to the Board's approval. Public Works is seeking urgent payment to the seven vendors because they are small businesses who provided timely and necessary services to assist Public Works to address the needs of the community due to recent storm activity. Public Works has also initiated the review of the retroactive contracting issue with the RCRC.

### **ENVIRONMENTAL DOCUMENTATION**

The recommended actions are not subject to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by Section 21065 of the Public Resources Code and Section 15378(b) of the State CEQA Guidelines. Payment of invoices is an organizational or administrative activity of government, which will not result in direct or indirect physical changes to the environment. Additionally, and alternatively, the haul truck services to clear the roadways and softbottom channel clearing is exempt from CEQA under Section 15301 of the CEQA Guidelines as maintenance of existing public facilities.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of this request will allow payment for critical services to clear roads, road rights of way, and stormwater channels.

### **CONCLUSION**

Please return three adopted copies of this Board letter to Public Works, Fleet Management Division.

Respectfully submitted,



MARK PESTRELLA, PE

Director

MP:RLS:sh

Enclosures

c: Chief Executive Office (Chia-Ann Yen)  
County Counsel  
Internal Services Department

**OPEN APPROVED INVOICES FOR HAUL TRUCK  
AS OF 02/01/2023**

<b>VENDOR</b>	<b>DATE</b>	<b>INVOICE #</b>	<b>SERVICE PERIOD</b>	<b>AMOUNT</b>
LAC MOTOR	12/1/2022	20253	11/07-11/11/22	\$ 4,307.20
LAC MOTOR	11/17/2022	20185	11/7/2022	\$ 7,752.96
LAC MOTOR	11/14/2022	20186	11/10/2022	\$ 7,752.96
LAC MOTOR	11/17/2022	20187	11/08-11/11/22	\$ 23,258.88
LAC MOTOR	11/10/2022	20152	11/02-11/05/22	\$ 34,262.88
LAC MOTOR	11/10/2022	20146	10/31-11/01/22	\$ 17,228.80
LAC MOTOR	11/23/2022	20243	11/14-11/15/22	\$ 16,367.36
LAC MOTOR	11/23/2022	20244	11/16-11/19/22	\$ 34,336.96
LAC MOTOR	12/1/2022	20276	11/21-11/22/22	\$ 17,228.80
LAC MOTOR	12/7/2022	20300	11/28/222	\$ 7,965.36
LAC MOTOR	12/7/2022	20301B	11/29/223	\$ 8,614.40
APRILS DISPATCH	11/17/2022	40287	11/17/2022	\$ 4,219.60
APRILS DISPATCH	11/15/2022	40283	11/14-11/15/22	\$ 8,439.20
APRILS DISPATCH	11/14/2022	40270	10/31-11/10/22	\$ 16,878.40
L CURTI TRUCK & EQUIP	11/23/2022	202211-6	11/14-11/19/22	\$ 51,924.32
L CURTI TRUCK & EQUIP	11/14/2022	202211-2	11/01-11/5/22	\$ 43,073.92
L CURTI TRUCK & EQUIP	11/14/2022	202211-3	11/07-11/11/22	\$ 45,576.00
L CURTI TRUCK & EQUIP	10/31/2022	202210-19	10/31/2022	\$ 8,506.40
L CURTI TRUCK & EQUIP	10/31/2022	202210-15A	10/28-10/29/22	\$ 22,301.60
ANAYA'S TRUCKING	10/31/2022	202210-387A	10/28-10/31/22	\$ 9,283.12
ANAYA'S TRUCKING	11/21/2022	202211-105	11/01-11/10/22	\$ 29,537.20
ANAYA'S TRUCKING	11/21/2022	202211-106	11/01-11/10/22	\$ 21,941.92
ANAYA'S TRUCKING	11/21/2022	202211-107	11/01-11/11/22	\$ 24,953.76
ANAYA'S TRUCKING	10/31/2022	202210-388A	10/17-10/31/22	\$ 5,063.52
ANAYA'S TRUCKING	11/30/2022	202211-153	11/14-11/22/22	\$ 25,310.40
ANAYA'S TRUCKING	11/30/2022	202211-155	11/14-11/22/22	\$ 12,658.80
ANAYA'S TRUCKING	11/30/2022	202211-157	11/15-11/18/22	\$ 34,600.72
ABT TRANSPORT	11/29/2022	6757	11/01-11/16/22	\$ 26,161.52
ABT TRANSPORT	12/5/2022	6784	11/02-11/16/22	\$ 37,976.40
ABT TRANSPORT	11/18/2022	6712	11/1/2022	\$ 15,823.50
ABT TRANSPORT	11/29/2022	6758	10/28-11/18/22	\$ 20,043.11
ABT TRANSPORT	11/18/2022	6713	10/28-11/04/22	\$ 66,669.70
ABT TRANSPORT	12/5/2022	6785	10/31-11/22/22	\$ 53,852.65
ABT TRANSPORT	12/28/2022	6868	11/21-11/21/22	\$ 1,770.08
ABT TRANSPORT	12/28/2022	6867	10/28-10/28/22	\$ 2,531.76
ABT TRANSPORT	12/19/2022	6852	11/4-11/18/22	\$ 9,019.40
ABT TRANSPORT	12/12/2022	6823	10/28-11/21/22	\$ 9,968.81
ALBERT BLACKSHER	11/30/2022	1198	11/23/2022	\$ 8,983.20
ALBERT BLACKSHER	11/30/2022	1197	11/21-11/22/22	\$ 17,966.40
ALBERT BLACKSHER	11/30/2022	1196	11/21-11/22/22	\$ 26,949.60
ALBERT BLACKSHER	11/30/2022	1195	11/19/2022	\$ 975.44
ALBERT BLACKSHER	11/21/2022	1194	11/19/2022	\$ 13,656.16
ALBERT BLACKSHER	11/21/2022	1193	11/14-11/18/22	\$ 64,342.17
ALBERT BLACKSHER	11/21/2022	1192	11/19/2022	\$ 9,754.40
ALBERT BLACKSHER	11/21/2022	1191	11/14-11/18/22	\$ 44,916.00
ALBERT BLACKSHER	11/1/2022	1175B	10/28-10/31/22	\$ 20,212.20

**OPEN APPROVED INVOICES FOR HAUL TRUCK  
AS OF 02/01/2023**

<b>VENDOR</b>	<b>DATE</b>	<b>INVOICE #</b>	<b>SERVICE PERIOD</b>	<b>AMOUNT</b>
ALBERT BLACKSHER	11/1/2022	1176	10/29/2022	\$ 10,973.70
ALBERT BLACKSHER	11/1/2022	1179	10/29/2022	\$ 14,631.60
ALBERT BLACKSHER	11/11/2022	1185	11/07-11/10/22	\$ 35,932.80
ALBERT BLACKSHER	11/11/2022	1186	11/07-11/10/22	\$ 52,102.56
ALBERT BLACKSHER	11/14/2022	1187	11/11/2022	\$ 10,327.20
ALBERT BLACKSHER	11/14/2022	1188	11/12/2022	\$ 9,754.40
ALBERT BLACKSHER	11/14/2022	1189	11/11/2022	\$ 15,490.80
ALBERT BLACKSHER	11/14/2022	1190	11/12/2022	\$ 14,631.60
ALBERT BLACKSHER	11/18/2022	1184	11/5/2022	\$ 13,656.16
ALBERT BLACKSHER	11/18/2022	1183	11/01-11/04/22	\$ 53,899.20
ALBERT BLACKSHER	11/18/2022	1182	11/5/2022	\$ 9,754.40
ALBERT BLACKSHER	11/7/2022	1181	11/01-11/04/22	\$ 36,831.12
ALBERT BLACKSHER	11/1/2022	1178	10/28-10/31/22	\$ 26,949.60
ALBERT BLACKSHER	12/17/2022	1200	10/28-10/28/22	\$ 898.32
ALBERT BLACKSHER	12/17/2022	1201	10/29-10/29/22	\$ 975.44
T&M CONSTRUCTION	11/30/2022	52112	11/18-11/18/22	\$ 5,288.57
T&M CONSTRUCTION	11/30/2022	52971	11/18-11/18/22	\$ 3,540.16
T&M CONSTRUCTION	11/30/2022	52103	11/14-11/14/22	\$ 10,361.28
T&M CONSTRUCTION	11/30/2022	52046	11/7-11/7/22	\$ 9,497.84
T&M CONSTRUCTION	10/31/2022	87887	10/29/2022	\$ 8,634.40
T&M CONSTRUCTION	10/31/2022	87875	10/29-10/31/22	\$ 7,770.96
T&M CONSTRUCTION	11/30/2022	52431	11/11/2022	\$ 10,361.28
T&M CONSTRUCTION	11/30/2022	52416	11/10/2022	\$ 10,361.28
T&M CONSTRUCTION	11/30/2022	52133	11/15/2022	\$ 11,224.72
T&M CONSTRUCTION	11/30/2022	52060	11/5/2022	\$ 12,188.80
T&M CONSTRUCTION	11/30/2022	52171	11/17/2022	\$ 8,634.40
T&M CONSTRUCTION	11/30/2022	53000	11/19/2022	\$ 11,251.20
T&M CONSTRUCTION	11/30/2022	52134	11/16/2022	\$ 9,497.84
T&M CONSTRUCTION	11/30/2022	52049	11/4/2022	\$ 9,497.84
T&M CONSTRUCTION	11/30/2022	62338	11/1/2022	\$ 12,088.16
T&M CONSTRUCTION	11/30/2022	53311	11/3/2022	\$ 11,224.72
T&M CONSTRUCTION	11/30/2022	60849A	10/28-10/31/22	\$ 10,648.08
T&M CONSTRUCTION	11/30/2022	62364	11/2/2022	\$ 12,088.16
T&M CONSTRUCTION	11/30/2022	52059	11/8/2022	\$ 10,361.28
T&M CONSTRUCTION	11/30/2022	53252	11/9/2022	\$ 10,361.28
<b>Total # of invoices = 81</b>			<b>TOTAL</b>	<b>\$ 1,496,609.09</b>